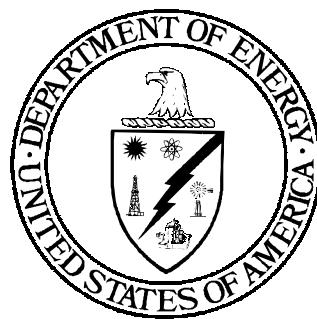


FEDERAL ENVIRONMENTAL NOTIFICATION & REPORTING REQUIREMENTS HANDBOOK



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Prepared by

**U.S. DEPARTMENT OF ENERGY
OFFICE OF ENVIRONMENTAL POLICY & ASSISTANCE
RCRA/CERCLA DIVISION
(EH-413)
Washington, D.C.**

Technical support by

**Energetics, Inc.
Columbia, MD**

Chapter 7. The Safe Drinking Water Act

Purpose and Organization

In 1974 Congress enacted the Safe Drinking Water Act (SDWA) to manage potential contamination threats to groundwater. The Act instructed the Environmental Protection Agency (EPA) to establish a national program to prevent underground injection of contaminated fluids that would endanger drinking water sources. Primary drinking water standards promulgated under the SDWA apply to drinking water "at the tap" as delivered by public water supply systems. As such, the standards apply directly to those DOE facilities that meet the definition of a public water supply system (e.g., the Oak Ridge DOE reservation is a public water supply system because it provides water to the City of Oak Ridge).

Of equal significance to DOE is that the drinking water standards are used to determine groundwater protection regulations under a number of other statutes [e.g., the Resource Conservation and Recovery Act (RCRA)]. Therefore, many of the SDWA requirements apply to DOE activities, especially storage and disposal of materials containing radionuclides, inorganic chemicals, organic chemicals, and hazardous wastes, and cleanup of contaminated sites.

Section 1447 of the SDWA states that each federal agency having jurisdiction over a federally owned or maintained public water system must comply with all federal, state, and local requirements; administrative authorities; and processes and sanctions regarding the provision of safe drinking water. Sections 1412, 1414, and 1445(a) of the SDWA authorize drinking water regulations and specific operating procedures for public water systems.

Public water systems, as defined in 40 CFR Part 141.2, provide piped water for human consumption and have at least 15 connections or regularly serve at least 25 people. Public water systems are either:

- community water systems - public water systems that serve at least 15 connections used by year-round residents or regularly serve at least 25 year-round residents;
- non-transient non-community water systems - public water systems that are not community water systems but that regularly serve at least the same 25 people

for six months per year (e.g., work places and hospitals); or

- non-community water systems - all other water systems (e.g., campgrounds and gas stations).

States have primary enforcement authority of the SDWA, although if not properly enforced, the EPA will do so. The federal government provides funds to assist in state enforcement of the Act. In certain circumstances states may consider cost, benefits, alternatives, public interest, and the protection of human health and the environment in granting variances and exemptions from the national regulations. For example, many of the regulations affecting groundwater provide for exemptions, variances, or alternate concentration limits. Thus, if DOE believes that direct application of a drinking water standard for groundwater protection is not justified on the basis of expected risk to the public at a specific site, DOE may request an exemption, variance, or alternate concentration limit.

National Primary Drinking Water Regulations

The SDWA requires the EPA to establish National Primary Drinking Water Regulations (NPDWRs) for contaminants which may cause adverse public health effects. The regulations include both mandatory levels [Maximum Contaminant Levels (MCLs)] and nonenforceable health goals [Maximum Contaminant Level Goals (MCLGs)] for each included contaminant. MCLGs have extra significance because they can be used under the *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA) as amended by the *Superfund Amendments and Reauthorization Act* (SARA) as applicable or relevant and appropriate requirements (ARARs) in National Priority List cleanups.

The 1986 SDWA amendments required EPA to apply future NPDWRs to both community and non-transient non-community water systems when it evaluated and revised current regulations. The first case in which this was applied was the final rule on July 8, 1987 (52 FR 25690). At that time NPDWRs were promulgated for certain volatile synthetic organic chemicals (VOCs) and applied to non-transient non-community water systems as

well as community water systems. This rulemaking also clarified that non-transient non-community water systems were not subject to MCLs which were promulgated prior to July 8, 1987.

Future NPDWR standards will apply to non-transient non-community water systems because of concern for the long-term exposure of a stable population. It is important to note that EPA's decision to apply future NPDWRs to non-transient non-community water systems may have a significant impact on those DOE facilities that operate their own drinking water systems.

Underground Injection Control

Another provision of the SDWA established programs to prevent contamination of underground sources of drinking water by underground injection of contaminated fluids. Statutorily mandated prohibitions on the underground injection of hazardous wastes were promulgated on July 26, 1988 (53 FR 28118). This action was taken in response to the Hazardous and Solid Waste Amendments of 1984 (HSWA) to RCRA. The final rule amended existing Underground Injection Control (UIC) regulations as they pertained to hazardous waste injection and codified at 40 CFR Part 148 the applicable sections of 40 CFR Part 268, EPA's regulatory framework for implementing the land disposal restrictions.

Classification of Wells

According to 40 CFR 144.6, "injection wells are classified as follows:

(a) *Class I.*

- (1) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to inject hazardous waste beneath the lowermost formation containing, within one-quarter mile of the well bore, an underground source of drinking water.
- (2) Other industrial and municipal disposal wells which inject fluids beneath the lowermost formation containing, within one quarter mile of the well bore, an underground source of drinking water.

(b) *Class II.* Wells which inject fluids:

- (1) Which are brought to the surface in connection with natural gas storage operations, or conventional oil or natural gas production and may be

commingled with waste waters from gas plants which are an integral part of production operations, unless those waters are classified as a hazardous waste at the time of injection.

- (2) For enhanced recovery of oil or natural gas; and
 - (3) For storage of hydrocarbons which are liquid at standard temperature and pressure.
- (c) *Class III.* Wells which inject for extraction of minerals including:
- (1) Mining of sulfur by the Frasch process;
 - (2) In situ production of uranium or other metals; this category includes only in-situ production from ore bodies which have not been conventionally mined. Solution mining of conventional mines such as stopes leaching is included in Class V.
 - (3) Solution mining of salts or potash.
- (d) *Class IV.*
- (1) Wells used by generators of hazardous waste or of radioactive waste, by owners or operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste into a formation which within one-quarter (1/4) mile of the well contains an underground source of drinking water.
 - (2) Wells used by generators of hazardous waste or of radioactive waste, by owners or operators of hazardous waste management facilities, or by owners or operators of radioactive waste disposal sites to dispose of hazardous waste or radioactive waste above a formation which within one quarter (1/4) mile of the well contains an underground source of drinking water.
- (3) Wells used by generators of hazardous waste or owners or operators of hazardous waste management facilities to dispose of hazardous waste, which cannot be classified under paragraph (a)(1) or (d)(1) and (2) of this section (e.g., wells used to dispose of hazardous waste into or above a formation which contains an aquifer which has been exempted pursuant to CFR 146.04).
- (e) *Class V.* Injection wells not included in Classes I, II, III, or IV."

Notification and Reporting Requirements

The following reporting requirements apply under the SDWA:

- A supplier of water must report the failure to comply with any national primary drinking water regulations.
- All water systems shall report information to the state concerning the results of lead and copper samples.
- The owner or operator of hazardous waste facilities, and all generators of hazardous waste, who use any class of well to inject hazardous waste,s must comply with specific notification and reporting requirements.

Note: In this chapter, "Director" means the Regional EPA Administrator, the State Director (of an approved program), or the Tribal Director (of an approved program), as the context requires, or an authorized representative. When there is no approved State or Tribal program, and there is an EPA-administrated program, "Director" means the Regional EPA Administrator; when there is an approved State or Tribal program, "Director" normally means the State or Tribal Director.

Figure 7 guides the user to the various SDWA notification and reporting requirements conveyed in this chapter that are relevant to a DOE facility or situation.

Figure 7: Safe Drinking Water Act

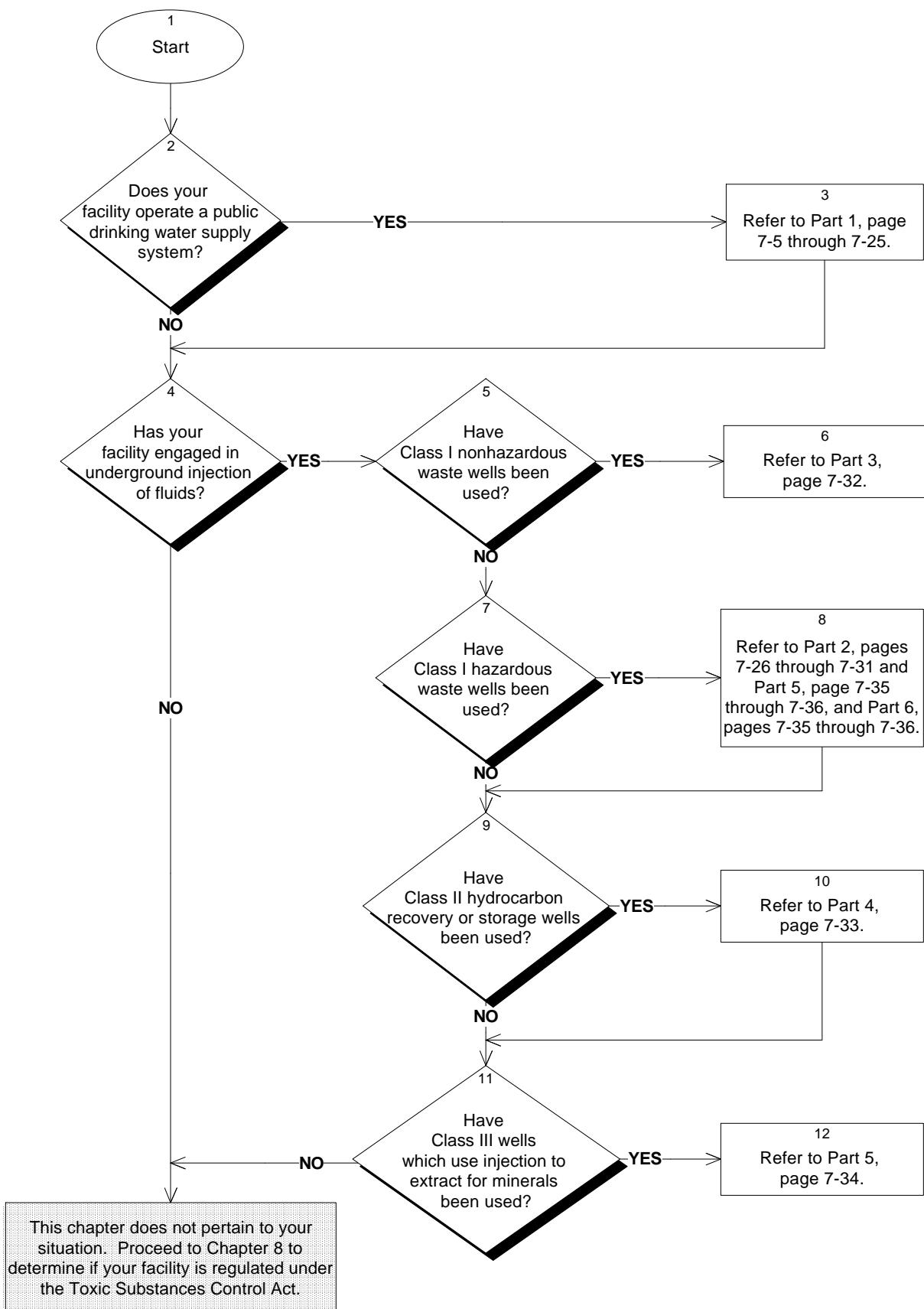


Table 7

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Part 1. National Primary Drinking Water Regulations

<p>Authorizations SDWA Section 1412</p> <p>References 40 CFR 141.21</p>	<p>Coliform Sampling</p> <p>(e) Fecal coliforms/<i>Escherichia coli</i> (<i>E. coli</i>) testing.</p> <p>(1) If any routine or repeat sample is total coliform-positive, the system must analyze that total coliform-positive culture medium to determine if fecal coliforms are present, except that the system may test for <i>E. coli</i> in lieu of fecal coliforms. If fecal coliforms or <i>E. coli</i> are present, the system must notify the State by the end of the day when the system is notified of the test result, unless the system is notified of the result after the State office is closed, in which case the system must notify the State before the end of the next business day.</p> <p>(2) The State has the discretion to allow a public water system, on a case-by-case basis, to forgo fecal coliform or <i>E. coli</i> testing on a total coliform-positive sample if that system assumes that the total coliform-positive sample is fecal coliform-positive or <i>E. coli</i>-positive. Accordingly, the system must notify the State as specified in paragraph (e)(1) of this section and the provisions of 40 CFR 141.63(b) apply.</p> <p>(g) Response to violation.</p> <p>(1) A public water system which has exceeded the Maximum Contaminant Level (MCL) for total coliforms in 40 CFR 141.63 must report the violation to the State no later than the end of the next business day after it learns of the violation, and notify the public in accordance with 40 CFR 141.32.</p> <p>(2) A public water system which has failed to comply with a coliform monitoring requirement, including the sanitary survey requirement, must report the monitoring violation to the State within ten days after the system discovers the violation, and notify the public in accordance with 40 CFR 141.32.</p>
<p>References 40 CFR 141.22</p>	<p>Turbidity Sampling and Analytical Requirements</p> <p>(b) If the result of a turbidity analysis indicates that the maximum allowable limit has been exceeded, the sampling and measurement shall be confirmed by resampling as soon as practicable and preferably within one hour. If the repeat sample confirms that the maximum allowable limit has been exceeded, the supplier of water shall report to the State within 48 hours. The repeat sample shall be the sample used for the purpose of calculating the monthly average. If the monthly average of the daily samples exceeds the maximum allowable limit, or if the average of two samples taken on</p>

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Part 1. National Primary Drinking Water Regulations (con't.)

References
40 CFR 141.22 (con't.)

consecutive days exceeds 5 TU, the supplier of water shall report to the State and notify the public as directed in 40 CFR 141.31 and 141.32.

Inorganic chemical sampling and analytical requirements

Community water systems shall conduct monitoring to determine compliance with the maximum contaminant levels specified in 40 CFR 141.62. Non-transient, non-community water systems shall conduct monitoring to determine compliance with the maximum contaminant levels specified in 40 CFR 141.62 in accordance with this section. Transient, non-community water systems shall conduct monitoring to determine compliance with the nitrate and nitrite maximum contaminant levels in 40 CFR 141.11 and 40 CFR 141.62 (as appropriate) in accordance with this section.

- (a) (4) (iii) If duplicates of the original sample taken from each sampling point used in the composite are available, the system may use these instead of resampling. The duplicates must be analyzed and the results reported to the State within 14 days of collection.
- (f) (2) Where nitrate or nitrite sampling results indicate an exceedance of the maximum contaminant level, the system shall take a confirmation sample within 24 hours of the system's receipt of notification of the analytical results of the first sample. Systems unable to comply with the 24-hour sampling requirement must immediately notify the consumers served by the public water system in accordance with 40 CFR 141.32. Systems exercising this option must take and analyze a confirmation sample within two weeks of notification of the analytical results of the first sample.
 - (i) Compliance with 40 CFR 141.11 or 141.62(b) (as appropriate) shall be determined based on the analytical result(s) obtained at each sampling point.
 - (4) If a public water system has a distribution system separable from other parts of the distribution system with no interconnections, the State may allow the system to give public notice to only the area served by that portion of the system which is out of compliance.
 - (m) If the result of an analysis made under paragraph (l) of {40 CFR 141.22} indicates that the level of any contaminant listed in 40 CFR 141.11 exceeds the maximum contaminant level, the supplier of the water shall report to the State within 7 days and initiate three additional analyses at the same sampling point within one month.

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<p>References 40 CFR 141.22 (con't.)</p>	<p>(n) When the average of four analyses made pursuant to paragraph (m) of this section, rounded to the same number of significant figures as the maximum contaminant level for the substance in question, exceeds the maximum contaminant level, the supplier of water shall notify the State pursuant to 40 CFR 141.31 and give notice to the public pursuant to 40 CFR 141.32. Monitoring after public notification shall be at a frequency designated by the State and shall continue until the maximum contaminant level has not been exceeded in two successive samples or until a monitoring schedule as a condition to a variance, exemption, or enforcement action shall become effective.</p> <p>(o) The provisions of paragraphs (m) and (n) of this section notwithstanding, compliance with the maximum contaminant level for nitrate shall be determined on the basis of the mean of two analyses. When a level exceeding the maximum contaminant level for nitrate is found, a second analysis shall be initiated within 24 hours, and if the mean of the two analyses exceeds the maximum contaminant level, the supplier of water shall report his findings to the State pursuant to 40 CFR 141.31 and shall notify the public pursuant to 40 CFR 141.32.</p>
<p>References 40 CFR 141.31</p>	<p>(a) Except where a shorter period is specified in this part, the supplier of water shall report to the State the results of any test measurement or analysis required by this part within</p> <ul style="list-style-type: none"> (1) The first ten days following the month in which the result is received, or (2) The first ten days following the end of the required monitoring period as stipulated by the State, whichever of these is shortest. <p>(b) Except where a different reporting period is specified in this part, the supplier of water must report to the State within 48 hours the failure to comply with any national primary drinking water regulation (including failure to comply with monitoring requirements) set forth in 40 CFR Part 141.</p> <p>(c) The supplier of water is not required to report analytical results to the State in cases where a State laboratory performs the analysis and reports the results to the State office which would normally receive such notification from the supplier.</p>

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Part 1. National Primary Drinking Water Regulations (con't.)

<p>References 40 CFR 141.31 (con't.)</p> <p>Public Notification</p>	<p>(d) The water supply system, within ten days of completion of each public notification required pursuant to 40 CFR 141.32, shall submit to the State a representative copy of each type of notice distributed, published, posted, and/or made available to the persons served by the system and/or to the media.</p> <p>(a) Maximum contaminant level (MCL), treatment technique, and variance and exemption schedule violations. The owner or operator of a public water system which fails to comply with an applicable MCL or treatment technique established by this part or which fails to comply with the requirements of any schedule prescribed pursuant to a variance or exemption, shall notify persons served by the system as follows:</p> <p>(1) Except as provided in paragraph (a)(3) of this section, the owner or operator of a public water system must give notice:</p> <ul style="list-style-type: none"> (i) By publication in a daily newspaper of general circulation in the area served by the system as soon as possible, but in no case later than 14 days after the violation or failure. If the area served by a public water system is not served by a daily newspaper of general circulation, notice shall instead be given by publication in a weekly newspaper of general circulation serving the area; and (ii) By mail delivery (by direct mail or with the water bill), or by hand delivery, not later than 45 days after the violation or failure. The State may waive mail or hand delivery if it determines that the owner or operator of the public water system in violation has corrected the violation or failure within the 45-day period. The State must make the waiver in writing and within the 45-day period; and (iii) For violations of the MCLs of contaminants that may pose an acute risk to human health, by furnishing a copy of the notice to the radio and television stations serving the area served by the public water system as soon as possible but in no case later than 72 hours after the violation. The following violations are acute violations: <p>(A) Any violations specified by the State as posing an acute risk to human health.</p>
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Table 7 Safe Drinking Water Act

Part 1. National Primary Drinking Water Regulations (con't.)

References
40 CFR 141.32 (con't.)

- (B) Violation of the MCL for nitrate or nitrite as defined in 40 CFR 141.62 and determined according to 40 CFR 141.23(i)(3).
- (C) Violation of the MCL for total coliforms, when fecal coliforms or E. coli are present in the water distribution system, as specified in 40 CFR 141.63(b).
- (D) Occurrence of a waterborne disease outbreak, as defined in 40 CFR 141.2, in an unfiltered system subject to the requirements of subpart H of this part, after December 30, 1991 (see 40 CFR 141.71(b)(4)).
- (2) Except as provided in paragraph (a)(3) of this section, following the initial notice given under paragraph (a)(1) of this section, the owner or operator of the public water system must give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation or failure exists.
 - (3)
 - (i) In lieu of the requirements of paragraphs (a)(1) and (2) of this section, the owner or operator of a community water system in an area that is not served by a daily or weekly newspaper of general circulation must give notice by hand delivery or by continuous posting in conspicuous places within the area served by the system. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in paragraph (a)(1)(iii) of this section), or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.
 - (ii) In lieu of the requirements of paragraphs (a)(1) and (2) of this section, the owner or operator of a non-community water system may give notice by hand delivery or by continuous posting in conspicuous places within the area served by the system. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in paragraph (a)(1)(iii) of this section), or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.

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Part 1. National Primary Drinking Water Regulations (con't.)

References

40 CFR 141.32 (con't.)

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| <p>(b) Other violations, variances, exemptions. The owner or operator of a public water system which fails to perform monitoring required by Section 1445(a) of the Act (including monitoring required by the National Primary Drinking Water Regulations (NPDWRs) of this part), fails to comply with a testing procedure established by this part, is subject to a variance granted under Section 1415(a)(1)(A) or 1415(a)(2) of the Act, or is subject to an exemption under Section 1416 of the Act, shall notify persons served by the system as follows:</p> | <p>(1) Except as provided in paragraph (b)(3) or (b)(4) of this section, the owner or operator of a public water system must give notice within three months of the violation or granting of a variance or exemption by publication in a daily newspaper of general circulation in the area served by the system. If the area served by a public water system is not served by a daily newspaper of general circulation, notice shall instead be given by publication in a weekly newspaper of general circulation serving the area.</p> <p>(2) Except as provided in paragraph (b)(3) or (b)(4) of this section, following the initial notice given under paragraph (b)(1) of this section, the owner or operator of the public water system must give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation exists. Repeat notice of the existence of a variance or exemption must be given every three months for as long as the variance or exemption remains in effect.</p> <p>(3) (i) In lieu of the requirements of paragraphs (b)(1) and (b)(2) of this section, the owner or operator of a community water system in an area that is not served by a daily or weekly newspaper of general circulation must give notice, within three months of the violation or granting of the variance or exemption, by hand delivery or by continuous posting in conspicuous places within the area served by the system. Posting must continue for as long as the violation exists or a variance or exemption remains in effect. Notice by hand delivery must be repeated at least every three months for as long as the violation exists or a variance or exemption remains in effect.</p> <p>(ii) In lieu of the requirements of paragraphs (b)(1) and (b)(2) of this section, the owner or operator of a non-community water system may give notice, within three months of the violation or the granting of the variance or exemption, by hand delivery or by continuous posting in conspicuous places within the area served by the system. Posting must continue for as long as the violation exists, or a variance or exemption remains in effect. Notice by hand delivery must be repeated at least every three months for as long as the violation exists or a variance or exemption remains in effect.</p> |
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40 CFR 141.32 (con't.)

- (4) In lieu of the requirements of paragraphs (b)(1), (b)(2), and (b)(3) of this section, the owner or operator of a public water system, at the discretion of the State, may provide less frequent notice for minor monitoring violations as defined by the State, if EPA has approved the State's application for a program revision under 40 CFR 142.16. Notice of such violations must be given no less frequently than annually.

References

40 CFR 141.35

- (a) The requirements of this section only apply to the contaminants listed in 40 CFR 141.40:
 - (Special monitoring for inorganic and organic contaminants.)
- (e) Community water systems and non-transient, non-community water systems shall monitor for the following contaminants except as provided in paragraph (f) of this section: (1) Chloroform, (2) Bromodichloromethane, (3) Chlorodibromomethane, (4) Bromoform, (5) Dibromomethane, (6) m-Dichlorobenzene, (8) 1,1-Dichloropropene, (9) 1,1-Dichloroethane, (10) 1,1,2,2-Tetrachloroethane, (11) 1,3-Dichloropropane, (12) Chloromethane, (13) Bromomethane, (14) 1,2,3-Trichloropropene, (15) 1,1,1,2-Tetrachloroethane, (16) Chloroethane, (17) 2,2-Dichloropropene, (18) o-Chlorotoluene, (19) p-Chlorotoluene, (20) Bromobenzene, (21) 1,3-Dichloropropene.
- (g) Analysis for the organic contaminants in paragraphs (e) and (j) of this section shall be conducted using the recommended EPA methods, or their equivalent as determined by EPA. These methods are contained in the reference at 40 CFR 141.24(f)(16).
- (j) Monitoring for the following compounds is required at the discretion of the State:
 - (1) 1,2,4-Trimethylbenzene, (2) 1,2,3-Trichlorobenzene, (3) n-Propylbenzene, (4) n-Butylbenzene, (5) Naphthalene, (6) Hexachlorobutadiene, (7) 1,3,5-Trimethylbenzene, (8) p-Isopropyltoluene, (9) Isopropylbenzene, (10) Tert-butylbenzene, (11) Sec-butylbenzene, (12) Fluorotrichloromethane, (13) Dichlorodifluoromethane, (14) Bromochloromethane.
- (b) The owner or operator of a community water system or non-transient, non-community water system who is required to monitor under 40 CFR 141.40 shall send a copy of the results of such monitoring within 30 days of receipt and any public notice under paragraph (d) of this section to the State.

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Part 1. National Primary Drinking Water Regulations (con't.)

<p>References 40 CFR 141.35 (con't.)</p>	<p>(c) The State, or the community water system or non-transient, non-community water system if the State has not adopted regulations equivalent to 40 CFR 141.40, shall furnish the following information to the Administrator for each sample analyzed under 40 CFR 141.40:</p> <ul style="list-style-type: none"> (1) Results of all analytical methods, including negatives. (2) Name and address of the system that supplied the sample. (3) Contaminant(s). (4) Analytical method(s) used. (5) Date of sample. (6) Date of analysis. <p>(d) The owner or operator shall notify persons served by the system of the availability of the results of sampling conducted under 40 CFR 141.40 by including a notice in the first set of water bills issued by the system after the receipt of the results or written notice within three months. The notice shall identify a person and supply the telephone number to contact for information on the monitoring results. For surface water systems, public notification is required only after the first quarter's monitoring and must include a statement that additional monitoring will be conducted for three more quarters with the results available upon request.</p>
<p>References 40 CFR 141.40</p>	<p>Special Monitoring for Sodium</p> <p>(b) The supplier of water shall report to EPA and/or the State the results of the analyses for sodium within the first 10 days of the month following the month in which the sample results were received or within the first 10 days following the end of the required monitoring period as stipulated by the State, whichever of these is first. If more than annual sampling is required the supplier shall report the average sodium concentration within 10 days of the month following the month in which the analytical results of the last sample used for the annual average was received. The supplier of water shall not be required to report the results to EPA where the State has adopted this regulation and results are reported to the State. The supplier shall report the results to EPA where the State has not adopted this regulation.</p>

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Part 1. National Primary Drinking Water Regulations (con't.)

<p>References 40 CFR 141.40 (con't.)</p>	<p>(c) The supplier of water shall notify appropriate local and State public health officials of the sodium levels by written notice by direct mail within three months. A copy of each notice required to be provided by this paragraph shall be sent to EPA and/or the State within 10 days of its issuance. The supplier of water is not required to notify appropriate local and State public health officials of the sodium levels where the State provides such notices in lieu of the supplier.</p>
<p>References 40 CFR 141.42</p>	<p>(b) The supplier of water shall report to EPA and/or the State the results of the analyses for the corrosivity characteristics within the first 10 days of the month following the month in which the sample results were received. If more frequent sampling is required by the State, the supplier can accumulate the data and shall report each value within 10 days of the month following the month in which the analytical results of the last sample was received. The supplier of water shall not be required to report the results to EPA where the State has adopted this regulation and results are reported to the State.</p>
<p>References 40 CFR 141.75</p>	<p>Special Monitoring for Corrosivity Characteristics</p> <p>(a) A public water system that uses a surface water source and does not provide filtration treatment must report monthly to the State the information specified in this paragraph (a) beginning December 31, 1990, unless the State has determined that filtration is required in writing pursuant to section 1412(b)(7)(C)(iii), in which case the State may specify alternative reporting requirements, as appropriate, until filtration is in place. A public water system that uses a ground water source under the direct influence of surface water and does not provide filtration treatment must report monthly to the State the information specified in this paragraph (a) beginning December 31, 1990, or 6 months after the State determines that the ground water source is under the direct influence of surface water, whichever is later, unless the State has determined that filtration is required in writing pursuant to 40 CFR 1412(b)(7)(C)(iii), in which case the State may specify alternative reporting requirements, as appropriate, until filtration is in place.</p> <p>(1) Source water quality information must be reported to the State within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:</p> <p style="padding-left: 20px;">(i) The cumulative number of months for which results are reported.</p>

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<u>References</u> 40 CFR 141.75 (con't.)	<ul style="list-style-type: none"> (ii) The number of fecal and/or total coliform samples, whichever are analyzed during the month (if a system monitors for both, only fecal coliforms must be reported), the dates of sample collection, and the dates when the turbidity level exceeded 1 NTU. (iii) The number of samples during the month that had equal to or less than 20/100 ml fecal coliforms and/or equal to or less than 100/100 ml total coliforms, whichever are analyzed. (iv) The cumulative number of fecal or total coliform samples, whichever are analyzed, during the previous six months the system served water to the public. (v) The cumulative number of samples that had equal to or less than 20/100 ml fecal coliforms or equal to or less than 100/100 ml total coliforms, whichever are analyzed, during the previous six months the system served water to the public. (vi) The percentage of samples that had equal to or less than 20/100 ml fecal coliforms or equal to or less than 100/100 ml total coliforms, whichever are analyzed, during the previous six months the system served water to the public. (vii) The maximum turbidity level measured during the month, the date(s) of occurrence for any measurement(s) which exceeded 5 NTU, and the date(s) the occurrence(s) was reported to the State. (viii) For the first 12 months of recordkeeping, the dates and cumulative number of events during which the turbidity exceeded 5 NTU, and after one year of recordkeeping for turbidity measurements, the dates and cumulative number of events during which the turbidity exceeded 5 NTU in the previous 12 months the system served water to the public. (ix) For the first 120 months of recordkeeping, the dates and cumulative number of events during which the turbidity exceeded 5 NTU, and after 10 years of recordkeeping for turbidity measurements, the dates and cumulative number of events during which the turbidity exceeded 5 NTU in the previous 120 months the system served water to the public.
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<p>References 40 CFR 141.75 (con't.)</p>	<p>(2) Disinfection information specified in 40 CFR 141.74(b) must be reported to the State within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:</p> <ul style="list-style-type: none"> (i) For each day, the lowest measurement of residual disinfectant concentration in mg/l in water entering the distribution system. (ii) The date and duration of each period when the residual disinfectant concentration in water entering the distribution system fell below 0.2 mg/l and when the State was notified of the occurrence. (iii) The daily residual disinfectant concentration(s) (in mg/l) and disinfectant contact time(s) (in minutes) used for calculating the CT value(s). (iv) If chlorine is used, the daily measurement(s) of pH of disinfected water following each point of chlorine disinfection. (v) The daily measurement(s) of water temperature in °C following each point of disinfection. (vi) The daily CT_{calc} and CT_{calc}/CT_{99.9} values for each disinfectant measurement or sequence and the sum of all CT_{calc}/CT_{99.9} values ((CT_{calc}/CT_{99.9})) before or at the first customer. (vii) The daily determination of whether disinfection achieves adequate Giardia cyst and virus inactivation, i.e., whether (CT_{calc}/CT_{99.9}) is at least 1.0 or, where disinfectants other than chlorine are used, other indicator conditions that the State determines are appropriate, are met. (viii) The following information on the samples taken in the distribution system in conjunction with total coliform monitoring pursuant to 40 CFR 141.72: <ul style="list-style-type: none"> (A) Number of instances where the residual disinfectant concentration is measured. (B) Number of instances where the residual disinfectant concentration is not measured but heterotrophic bacteria plate count (HPC) is measured.
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- (C) Number of instances where the residual disinfectant concentration is measured but not detected and no HPC is measured.
- (D) Number of instances where the residual disinfectant concentration is detected and where HPC is >500/ml.
- (E) Number of instances where the residual disinfectant concentration is not measured and HPC is >500/ml.
- (F) For the current and previous month the system served water to the public, the value of "V" in the following formula:

$$V = \frac{c + d + e}{a + b} \times 100$$

where

a = the value in paragraph (a)(2)(viii)(A) of this section,
 b = the value in paragraph (a)(2)(viii)(B) of this section,
 c = the value in paragraph (a)(2)(viii)(C) of this section,
 d = the value in paragraph (a)(2)(viii)(D) of this section, and
 e = the value in paragraph (a)(2)(viii)(E) of this section.

- (G) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory under the requisite time and temperature conditions specified by 40 CFR 141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (a)(2)(viii)(A)-(F) of this section do not apply to that system.
- (ix) A system need not report the data listed in paragraphs (a)(2)(i), and (iii)-(vi) of this section if all data listed in paragraphs (a)(2)(i)-(viii) of this section remain on file at the system, and the State determines that:

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- (A) The system has submitted to the State all the information required by paragraphs (a)(2)(i)-(viii) of this section for at least 12 months.
- (B) The State has determined that the system is not required to provide filtration treatment.
- (3) No later than ten days after the end of each Federal fiscal year (September 30), each system must provide to the State a report which summarizes its compliance with all watershed control program requirements specified in 40 CFR 141.71(b)(2).
- (4) No later than ten days after the end of each Federal fiscal year (September 30), each system must provide to the State a report on the on-site inspection conducted during that year pursuant to 40 CFR 141.71(b)(3), unless the on-site inspection was conducted by the State. If the inspection was conducted by the State, the State must provide a copy of its report to the public water system.
- (5)
 - (i) Each system, upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, must report that occurrence to the State as soon as possible, but no later than by the end of the next business day.
 - (ii) If at any time the turbidity exceeds 5 NTU, the system must inform the State as soon as possible, but no later than the end of the next business day.
 - (iii) If at any time the residual falls below 0.2 mg/l in the water entering the distribution system, the system must notify the State as soon as possible, but no later than by the end of the next business day. The system also must notify the State by the end of the next business day whether or not the residual was restored to at least 0.2 mg/l within 4 hours.
 - (b) A public water system that uses a surface water source or a ground water source under the direct influence of surface water and provides filtration treatment must report monthly to the State the information specified in this paragraph (b) beginning June 29, 1993, or when filtration is installed, whichever is later.
 - (1) Turbidity measurements as required by 40 CFR 141.74(c)(1) must be reported within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:

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40 CFR 141.75 (con't.)	<p>(i) The total number of filtered water turbidity measurements taken during the month.</p> <p>(ii) The number and percentage of filtered water turbidity measurements taken during the month which are less than or equal to the turbidity limits specified in 40 CFR 141.73 for the filtration technology being used.</p> <p>(iii) The date and value of any turbidity measurements taken during the month which exceed 5 NTU.</p> <p>(2) Disinfection information specified in 40 CFR 141.74(c) must be reported to the State within 10 days after the end of each month the system serves water to the public. Information that must be reported includes:</p> <p>(i) For each day, the lowest measurement of residual disinfectant concentration in mg/l in water entering the distribution system.</p> <p>(ii) The date and duration of each period when the residual disinfectant concentration in water entering the distribution system fell below 0.2 mg/l and when the State was notified of the occurrence.</p> <p>(iii) The following information on the samples taken in the distribution system in conjunction with total coliform monitoring pursuant to 40 CFR 141.72:</p> <p>(A) Number of instances where the residual disinfectant concentration is measured.</p> <p>(B) Number of instances where the residual disinfectant concentration is not measured but heterotrophic bacteria plate count (HPC) is measured.</p> <p>(C) Number of instances where the residual disinfectant concentration is measured but not detected and no HPC is measured.</p> <p>(D) Number of instances where no residual disinfectant concentration is detected and where HPC is >500/ml.</p> <p>(E) Number of instances where the residual disinfectant concentration is not measured and HPC is >500/ml.</p>

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(F) For the current and previous month the system serves water to the public, the value of "V" in the 40 CFR 141.75 following formula:

$$V = \frac{c + d + e}{a + b} \times 100$$

where

a = the value in paragraph (b)(2)(iii)(A) of this section,
 b = the value in paragraph (b)(2)(iii)(B) of this section,
 c = the value in paragraph (b)(2)(iii)(C) of this section,
 d = the value in paragraph (b)(2)(iii)(D) of this section, and
 e = the value in paragraph (b)(2)(iii)(E) of this section.

- (iii) (G) If the State determines, based on site-specific considerations, that a system has no means for having a sample transported and analyzed for HPC by a certified laboratory within the requisite time and temperature conditions specified by 40 CFR 141.74(a)(3) and that the system is providing adequate disinfection in the distribution system, the requirements of paragraph (b)(2)(iii)(A)-(F) of this section do not apply.
- (iv) A system need not report the data listed in paragraph (b)(2)(i) of this section if all data listed in paragraphs (b)(2)(i)-(iii) of this section remain on file at the system and the State determines that the system has submitted all the information required by paragraphs (b)(2)(i)-(iii) of this section for at least 12 months.
- (3) (i) Each system, upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, must report that occurrence to the State as soon as possible, but no later than by the end of the next business day.
- (ii) If at any time the turbidity exceeds 5 NTU, the system must inform the State as soon as possible, but no later than the end of the next business day.

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<p>References 40 CFR 141.75 (con't.)</p>	<p>(iii) If at any time the residual falls below 0.2 mg/l in the water entering the distribution system, the system must notify the State as soon as possible, but no later than by the end of the next business day. The system also must notify the State by the end of the next business day whether or not the residual was restored to at least 0.2 mg/l within 4 hours.</p>
<p>References 40 CFR 141.84</p>	<p>(d) A water system shall replace the entire service line (up to the building inlet) unless it demonstrates to the satisfaction of the State under paragraph (e) of this section that it controls less than the entire service line. In such cases, the system shall replace the portion of the line which the State determines is under the system's control. The system shall notify the user served by the line that the system will replace the portion of the service line under its control and shall offer to replace the building owner's portion of the line, but is not required to bear the cost of replacing the building owner's portion of the line. For buildings where only a portion of the lead service line is replaced, the water system shall inform the resident(s) that the system will collect a first flush tap water sample after partial replacement of the service line is completed if the resident(s) so desire. In cases where the resident(s) accept the offer, the system shall collect the sample and report the results to the resident(s) within 14 days following partial lead service line replacement.</p> <p>(e) A water system is presumed to control the entire lead service line (up to the building inlet) unless the system demonstrates to the satisfaction of the State, in a letter submitted under 40 CFR 141.90(e)(4), that it does not have any of the following forms of control over the entire line (as defined by state statutes, municipal ordinances, public service contracts or other applicable legal authority): authority to set standards for construction, repair, or maintenance of the line; authority to replace, repair, or maintain the service line; or ownership of the service line. The State shall review the information supplied by the system and determine whether the system controls less than the entire service line and, in such cases, shall determine the extent of the system's control. The State's determination shall be in writing and explain the basis for its decision.</p> <p>(h) To demonstrate compliance with paragraphs (a) through (d) of this section, a system shall report to the State the information specified in 40 CFR 141.90(e).</p> <p>All water systems shall report all of the following information to the State in accordance with this section.</p> <p>(a) Reporting requirements for tap water monitoring for lead and copper and for water quality parameter monitoring:</p>

References
40 CFR 141.90

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Part 1. National Primary Drinking Water Regulations (con't.)

<p>References 40 CFR 141.90 (con't.)</p>	<p>(1) A water system shall report the information specified below for all tap water samples within the first 10 days following the end of each applicable monitoring period specified in 40 CFR 141.86 and 40 CFR 141.87 and 40 CFR 141.88 (i.e., every six-months, annually, or every 3 years):</p> <ul style="list-style-type: none"> (i) The results of all tap samples for lead and copper including the location of each site and the criteria under 40 CFR 141.86(a)(3), (4), (5), (6), and/or (7) under which the site was selected for the system's sampling pool. (ii) A certification that each first draw sample collected by the water system is one-liter in volume and, to the best of their knowledge, has stood motionless in the service line, or in the interior plumbing of a sampling site, for at least six hours. (iii) Where residents collected samples, a certification that each tap sample collected by the residents was taken after the water system informed them of proper sampling procedures specified in 40 CFR 141.86(b)(2). (iv) The 90th percentile lead and copper concentrations measured from among all lead and copper tap water samples collected during each monitoring period (calculated in accordance with 40 CFR 141.80(c)(3)). (v) With the exception of initial tap sampling conducted pursuant to 40 CFR 141.86(d)(1), the system shall designate any site which was not sampled during previous monitoring periods, and include an explanation of why sampling sites have changed. (vi) The results of all tap samples for pH, and where applicable, alkalinity, calcium, conductivity, temperature, and orthophosphate or silica collected under 40 CFR 141.87(b)-(e). (vii) The results of all samples collected at the entry point(s) to the distribution system for applicable water quality parameters under 40 CFR 141.87(b)-(e). <p>(2) By the applicable date in 40 CFR 141.86(d)(1) for commencement of monitoring, each community water system which does not complete its targeted sampling pool with tier 1 sampling sites meeting the criteria in 40 CFR 141.86(a)(3) shall send a letter to the State justifying its selection of tier 2 and/or tier 3 sampling sites under 40 CFR 141.86 (a)(4) and/or (a)(5).</p>
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Part 1. National Primary Drinking Water Regulations (con't.)

<p>References</p> <p>40 CFR 141.90 (con't.)</p>	<p>(3) By the applicable date in 40 CFR 141.86(d)(1) for commencement of monitoring, each non-transient, non-community water system which does not complete its sampling pool with tier 1 sampling sites meeting the criteria in 40 CFR 141.86(a)(6) shall send a letter to the State justifying its selection of sampling sites under 40 CFR 141.86(a)(7).</p> <p>(4) By the applicable date in 40 CFR 141.86(d)(1) for commencement of monitoring, each water system with lead service lines that is not able to locate the number of sites served by such lines required under 40 CFR 141.86(a)(9) shall send a letter to the State demonstrating why it was unable to locate a sufficient number of such sites based upon the information listed in 40 CFR 141.86(a)(2).</p> <p>(5) Each water system that requests that the State reduce the number and frequency of sampling shall provide the information required under 40 CFR 141.86(d)(4).</p> <p>(b) Source water monitoring reporting requirements:</p> <p>(1) A water system shall report the sampling results for all source water samples collected in accordance with 40 CFR 141.88 within the first 10 days following the end of each source water monitoring period (i.e., annually, per compliance period, per compliance cycle) specified in 40 CFR 141.88.</p> <p>(2) With the exception of the first round of source water sampling conducted pursuant to 40 CFR 141.88(b), the system shall specify any site which was not sampled during previous monitoring periods, and include an explanation of why the sampling point has changed.</p> <p>(c) Corrosion control treatment reporting requirements. By the applicable dates under 40 CFR 141.81, systems shall report the following information:</p> <p>(1) For systems demonstrating that they have already optimized corrosion control, information required in 40 CFR 141.81(b)(2) or (3).</p> <p>(2) For systems required to optimize corrosion control, their recommendation regarding optimal corrosion control treatment under 40 CFR 141.82(a).</p>
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Part 1. National Primary Drinking Water Regulations (con't.)

<p>References 40 CFR 141.90 (con't.)</p>	<p>(3) For systems required to evaluate the effectiveness of corrosion control treatments under 40 CFR 141.82(c), the information required by that paragraph.</p> <p>(4) For systems required to install optimal corrosion control designated by the State under 40 CFR 141.82(d), a letter certifying that the system has completed installing that treatment.</p> <p>(d) Source water treatment reporting requirements. By the applicable dates in 40 CFR 141.83, systems shall provide the following information to the State:</p> <ul style="list-style-type: none"> (1) If required under 40 CFR 141.83(b)(1), their recommendation regarding source water treatment. (2) For systems required to install source water treatment under 40 CFR 141.83(b)(2), a letter certifying that the system has completed installing the treatment designated by the State within 24 months after the State designated the treatment. <p>(e) Lead service line replacement reporting requirements. Systems shall report the following information to the State to demonstrate compliance with the requirements of 40 CFR 141.84:</p> <ul style="list-style-type: none"> (1) Within 12 months after a system exceeds the lead action level in sampling referred to in 40 CFR 141.84(a), the system shall demonstrate in writing to the State that it has conducted a material evaluation, including the evaluation in 40 CFR 141.86(a), to identify the initial number of lead service lines in its distribution system, and shall provide the State with the system's schedule for replacing annually at least 7 percent of the initial number of lead service lines in its distribution system. (2) Within 12 months after a system exceeds the lead action level in sampling referred to in 40 CFR 141.84(a), and every 12 months thereafter, the system shall demonstrate to the State in writing that the system has either: <ul style="list-style-type: none"> (i) Replaced in the previous 12 months at least 7 percent of the initial lead service lines (or a greater number of lines specified by the State under 40 CFR 141.84(f)) in its distribution system, or (ii) Conducted sampling which demonstrates that the lead concentration in all service line samples from an individual line(s), taken pursuant to 40 CFR 141.86(b)(3), is less than or equal to 0.015 mg/L. In such cases,
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References

40 CFR 141.90 (con't.)

- the total number of lines replaced and/or which meet the criteria in 40 CFR 141.84(c) shall equal at least 7 percent of the initial number of lead lines identified under paragraph (a) of this section (or the percentage specified by the State under 40 CFR 141.84(f)).
- (3) The annual letter submitted to the State under paragraph (e)(2) of this section shall contain the following information:
- (i) The number of lead service lines scheduled to be replaced during the previous year of the system's replacement schedule.
 - (ii) The number and location of each lead service line replaced during the previous year of the system's replacement schedule.
 - (iii) If measured, the water lead concentration and location of each lead service line sampled, the sampling method, and the date of sampling.
- (4) As soon as practicable, but in no case later than three months after a system exceeds the lead action level in sampling referred to in 40 CFR 141.84(a), any system seeking to rebut the presumption that it has control over the entire lead service line pursuant to 40 CFR 141.84(d) shall submit a letter to the State describing the legal authority (e.g., state statutes, municipal ordinances, public service contracts, or other applicable legal authority) which limits the system's control over the service lines and the extent of the system's control.
- (f) Public education program reporting requirements. By December 31st of each year, any water system that is subject to the public education requirements in 40 CFR 141.85 shall submit a letter to the State demonstrating that the system has delivered the public education materials that meet the content requirements in 40 CFR 141.85(a) and (b) and the delivery requirements in 40 CFR 141.85(c). This information shall include a list of all the newspapers, radio stations, television stations, facilities and organizations to which the system delivered public education materials during the previous year. The water system shall submit the letter required by this paragraph annually for as long as it exceeds the lead action level.

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References

40 CFR 141.90 (con't.)

(g) Reporting of additional monitoring data. Any system which collects sampling data in addition to that required by this subpart shall report the results to the State by the end of the applicable monitoring period under 40 CFR 141.86, 141.87 and 141.88 during which the samples are collected.

Table 7
Safe Drinking Water Act

Part 2. Underground Injection Control (UIC) Program - Requirements for Wells Injecting Hazardous Waste

References	(a) Applicability. The regulations in this section apply to all generators of hazardous waste, and to the owners or operators of all hazardous waste management facilities, using any class of well to inject hazardous wastes accompanied by a manifest. (See also 40 CFR 144.13.)
SDWA 40 CFR 1424 40 CFR 144.14(a)	(b) Authorization. The owner or operator of any well that is used to inject hazardous waste required to be accompanied by a manifest or delivery document shall apply for authorization to inject as specified in 40 CFR 144.31 within 6 months after the approval or promulgation of the State UIC program.
	(c) Requirements. In addition to complying with the applicable requirements of this part and 40 CFR Part 146, the owner or operator of each facility meeting the requirements of paragraph (b) of this section, shall comply with the following:
	(1) Notification. The owner or operator shall comply with the notification requirements of Section 3010 of Public Law 94-580.
	(2) Identification number. The owner or operator shall comply with the requirements of 40 CFR 264.11.
	(3) Manifest system. The owner or operator shall comply with the applicable recordkeeping and reporting requirements for manifested wastes in 40 CFR 264.71.
	(4) Manifest discrepancies. The owner or operator shall comply with 40 CFR 264.72.
	(5) Operating record. The owner or operator shall comply with 40 CFR 264.73(a), (b)(1), and (b)(2).
	(6) Annual report. The owner or operator shall comply with 40 CFR 264.75.
	(7) Unmanifested waste report. The owner or operator shall comply with 40 CFR 264.75.
	(8) Personnel training. The owner or operator shall comply with the applicable personnel training requirements of 40 CFR 264.16.

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Part 2. Underground Injection Control (UIC) Program - Requirements for Wells Injecting Hazardous Waste (con't.)	
<p>References 40 CFR 144.14(a) (con't.)</p> <p>Transfer of Permits</p> <p>(a) Transfers by modification. Except as provided in paragraph (b) of this section, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under 40 CFR 144.39(b)(2)), or a minor modification made (under 40 CFR 144.41(d)), to identify the new permittee and incorporate such other requirements as may be necessary under the Safe Drinking Water Act.</p> <p>(b) Automatic transfers. As an alternative to transfers under paragraph (a) of this section, any UIC permit for a well not injecting hazardous waste may be automatically transferred to a new permittee if:</p> <p>(1) The current permittee notifies the director at least 30 days in advance of the proposed transfer date referred to in paragraph (b)(2) of this section.</p> <p>(2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them, and the notice demonstrates that the financial responsibility requirements of 40 CFR 144.52(a)(7) will be met by the new permittee.</p> <p>(3) The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this paragraph may also be a minor modification under 40 CFR 144.41. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph (b)(2) of this section.</p>	<p>(9) Certification of closure. When abandonment is completed, the owner or operator must submit to the Director certification by the owner or operator and certification by an independent registered professional engineer that the facility has been closed in accordance with the specifications in 40 CFR 144.52(a)(6).</p> <p>Conditions Applicable to all Permits</p> <p>(1) Reporting requirements.</p> <p>(1) Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility.</p>
<p>References 40 CFR 144.38</p>	

Table 7
Safe Drinking Water Act

Part 2. Underground Injection Control (UIC) Program - Requirements for Wells Injecting Hazardous Waste (con't.)

References
 40 CFR 144.51 (con't.)

- (2) Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (3) Transfers. This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Safe Drinking Water Act. (See 40 CFR 144.38; in some cases, modification or revocation and reissuance is mandatory.)
- (4) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (5) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 30 days following each schedule date.
- (6) Twenty-four hour reporting. The permittee shall report any noncompliance which may endanger health or the environment, including:
 - (i) Any monitoring or other information which indicates that any contaminant may cause an endangerment to an {underground resource of drinking water} (USDW), or
 - (ii) Any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between USDWs. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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Safe Drinking Water Act

Part 2. Underground Injection Control (UIC) Program - Requirements for Wells Injecting Hazardous Waste (con't.)

References	
40 CFR 144.51 (con't.)	<p>(7) Other noncompliance.</p> <p>The permittee shall report all instances of noncompliance not reported under paragraphs (1)(4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (1)(6) of this section.</p> <p>(8) Other information.</p> <p>Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.</p> <p>(m) Requirements prior to commencing injection.</p> <p>Except for all new wells authorized by an area permit under 40 CFR 144.33(c), a new injection well may not commence injection until construction is complete, and</p> <p>(1) The permittee has submitted notice of completion of construction to the Director, and</p> <p>(2) (i) The Director has inspected or otherwise reviewed the new injection well and finds it is in compliance with the conditions of the permit, or</p> <p>(ii) The permittee has not received notice from the Director of his or her intent to inspect or otherwise review the new injection well within 13 days of the date of the notice in paragraph (m)(1) of this section, in which case prior inspection or review is waived and the permittee may commence injection. The Director shall include in his notice a reasonable time period in which he shall inspect the well.</p> <p>(n) The permittee shall notify the Director at such times as the permit requires before conversion or abandonment of the well or in the case of area permits before closure of the project.</p> <p>(o) A Class I, II or III permit shall include and a Class V permit may include, conditions which meet the applicable requirements of 40 CFR 146.10 of this chapter to insure that plugging and abandonment of the well will not allow the</p>

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Part 2. Underground Injection Control (UIC) Program - Requirements for Wells Injecting Hazardous Waste (con't.)

<p>References 40 CFR 144.51 (con't.)</p>	<p>movement of fluids into or between USDWs. Where the plan meets the requirements of 40 CFR 146.10 of this chapter, the Director shall incorporate it into the permit as a permit condition. Where the Director's review of an application indicates that the permittee's plan is inadequate, the Director may require the applicant to revise the plan, prescribe conditions meeting the requirements of this paragraph, or deny the permit. For purposes of this paragraph, temporary or intermittent cessation of injection operations is not abandonment.</p> <p>(p) Plugging and abandonment report.</p> <p>For EPA-administered programs, within 60 days after plugging a well or at the time of the next quarterly report (whichever is less) the owner or operator shall submit a report to the Regional Administrator. If the quarterly report is due less than 15 days before completion of plugging, then the report shall be submitted within 60 days. The report shall be certified as accurate by the person who performed the plugging operation. Such report shall consist of either:</p> <ol style="list-style-type: none"> (1) A statement that the well was plugged in accordance with the plan previously submitted to the Regional Administrator, or (2) Where actual plugging differed from the plan previously submitted, and updated version of the plan on the form supplied by the regional administrator, specifying the differences. <p>Establishing Permit Conditions</p> <p>References 40 CFR 144.52</p> <p>(a) (5) Monitoring and reporting requirements as set forth in 40 CFR Part 146. The permittee shall be required to identify types of tests and methods used to generate the monitoring data. For EPA administered programs, monitoring of the nature of injected fluids shall comply with applicable analytical methods cited and described in table I of 40 CFR 136.3 or in appendix III of 40 CFR Part 261 or in certain circumstances by other methods that have been approved by the Regional Administrator.</p> <p>(b) (1) In addition to conditions required in all permits, the Director shall establish conditions in permits as required on a case-by-case basis to provide for and assure compliance with all applicable requirements of the SDWA and Parts 144, 145, 146 and 124.</p>
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Table 7 Safe Drinking Water Act

Part 2. Underground Injection Control (UIC) Program - Requirements for Wells Injecting Hazardous Waste (con't.)

References 40 CFR 144.52 (con't.)

(2) For a State issued permit, an applicable requirement is a State statutory or regulatory requirement which takes effect prior to final administrative disposition of the permit. For a permit issued by EPA, an applicable requirement is a statutory or regulatory requirement (including any interim final regulation) which takes effect prior to the issuance of the permit (except as provided in 40 CFR 124.86(c) for UIC permits being processed under Subpart E or F of Part 124). Section 124.14 (reopening of comment period) provides a means for reopening EPA permit proceedings at the discretion of the Director where new requirements become effective during the permitting process and are of sufficient magnitude to make additional proceedings desirable. For State and EPA administered programs, an applicable requirement is also any requirement which takes effect prior to the modification or revocation and reissuance of a permit, to the extent allowed in 40 CFR 144.39.

(3) New or reissued permits, and to the extent allowed under 40 CFR 144.39 modified or revoked and reissued permits, shall incorporate each of the applicable requirements referenced in 40 CFR 144.52.

Table 7
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Part 3. Criteria and Standards Applicable to Class I Nonhazardous Wells

Authorizations	Reporting Requirements
SDWA Section 1424	<p>(c) Reporting requirements. Reporting requirements shall, at a minimum, include:</p> <p>(1) Quarterly reports to the Director on:</p> <ul style="list-style-type: none"> (i) The physical, chemical and other relevant characteristics of injection fluids. (ii) Monthly average, maximum and minimum values for injection pressure, flow rate and volume, and annular pressure. (iii) The results of monitoring prescribed under paragraph (b)(4) of {40 CFR 146.13}. <p>(2) Reporting the results, with the first quarterly report after the completion, of:</p> <ul style="list-style-type: none"> (i) Periodic tests of mechanical integrity. (ii) Any other test of the injection well conducted by the permittee if required by the Director. (iii) Any well work over.
References	40 CFR 146.13

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Part 4. Criteria and Standards Applicable to Class II Wells	
Authorizations SDWA Section 1424	Reporting Requirements <ul style="list-style-type: none"> (1) Reporting requirements shall at a minimum include an annual report to the Director summarizing the results of monitoring required under paragraph (b) of this section. Such summary shall include monthly records of injected fluids, and any major changes in characteristics or sources of injected fluid. Previously submitted information may be included by reference. (2) Owners or operators of hydrocarbon storage and enhanced recovery projects may report on a field or project basis rather than an individual well basis where manifold monitoring is used.
References 40 CFR 146.23	Construction Requirements <ul style="list-style-type: none"> (b) Appropriate logs and other tests shall be conducted during the drilling and construction of new Class III wells. A descriptive report interpreting the results of such logs and tests shall be prepared by a knowledgeable log analyst and submitted to the Director. The logs and tests appropriate to each type of Class III well shall be determined based on the intended function, depth, construction and other characteristics of the well, availability of similar data in the area of the drilling site and the need for additional information that may arise from time to time as the construction of the well progresses. Deviation checks shall be conducted on all holes where pilot holes and reaming are used, unless the hole will be cased and cemented by circulating cement to the surface. Where deviation checks are necessary they shall be conducted at sufficiently frequent intervals to assure that vertical avenues for fluid migration in the form of diverging holes are not created during drilling.

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Part 5. Criteria and Standards Applicable to Class III Wells	
Authorizations SDWA Section 1424	Operating, Monitoring, and Reporting Requirements
References 40 CFR 146.33	(c) Reporting requirements. Reporting requirements shall, at a minimum, include: (1) Quarterly reporting to the Director on required monitoring. (2) Results of mechanical integrity and any other periodic test required by the Director reported with the first regular quarterly report after the completion of the test. (3) Monitoring may be reported on a project or field basis rather than individual well basis where manifold monitoring is used.

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Part 6. Criteria and Standards Applicable to Class I Hazardous Waste Injection Wells

Authorizations	Operating Requirements
SDWA Section 1424 References 40 CFR 146.67	<p>(g) If an automatic alarm or shutdown is triggered, the owner or operator shall immediately investigate and identify as expeditiously as possible the cause of the alarm or shutdown. If, upon such investigation, the well appears to be lacking mechanical integrity, or if monitoring required under paragraph (f) of this section otherwise indicates that the well may be lacking mechanical integrity, the owner or operator shall:</p> <ul style="list-style-type: none"> (1) Cease injection of waste fluids unless authorized by the Director to continue or resume injection. (2) Take all necessary steps to determine the presence or absence of a leak. (3) Notify the Director within 24 hours after the alarm or shutdown. <p>(h) If a loss of mechanical integrity is discovered pursuant to paragraph (g) of this section or during periodic mechanical integrity testing, the owner or operator shall:</p> <ul style="list-style-type: none"> (1) Immediately cease injection of waste fluids. (2) Take all steps reasonably necessary to determine whether there may have been a release of hazardous wastes or hazardous waste constituents into any unauthorized zone. (3) Notify the Director within 24 hours after loss of mechanical integrity is discovered. (4) Notify the Director when injection can be expected to resume. (5) Restore and demonstrate mechanical integrity to the satisfaction of the Director prior to resuming injection of waste fluids. <p>(i) Whenever the owner or operator obtains evidence that there may have been a release of injected wastes into an unauthorized zone:</p> <ul style="list-style-type: none"> (1) The owner or operator shall immediately cease injection of waste fluids, and: (i) Notify the Director within 24 hours of obtaining such evidence.

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Part 6. Criteria and Standards Applicable to Class I Hazardous Waste Injection Wells (con't.)

<p>References 40 CFR 146.67 (con't.)</p>	<p>(v) Where such release is into a USDW currently serving as a water supply, place a notice in a newspaper of general circulation.</p> <p>(j) The owner or operator shall notify the Director and obtain his approval prior to conducting any well workover.</p>
<p>References 40 CFR 146.69</p>	<p>Reporting Requirements</p> <p>Reporting requirements shall, at a minimum, include:</p> <p>(a) Quarterly reports to the Director containing:</p> <ul style="list-style-type: none"> (1) The maximum injection pressure. (2) A description of any event that exceeds operating parameters for annulus pressure or injection pressure as specified in the permit. (3) A description of any event which triggers an alarm or shutdown device required pursuant to 40 CFR 146.67(f) and the response taken. (4) The total volume of fluid injected. (5) Any change in the annular fluid volume. (6) The physical, chemical, and other relevant characteristics of injected fluids. (7) The results of monitoring prescribed under 40 CFR 141.68. <p>(b) Reporting, within 30 days or with the next quarterly report whichever comes later, the results of:</p> <ul style="list-style-type: none"> (1) Periodic tests of mechanical integrity {and} any other test conducted by the permittee if required by the Director. (2) Any well workover.